

IN THE UNITED STATES PATENT & TRADEMARK OFFICE
RESPONSE/AMENDMENT

Box Non-Fee Amendment

ASSISTANT COMMISSIONER FOR PATENTS
Washington, D.C. 20231

Dear Sir:

Transmitted herewith is an AMENDMENT for the patent application:

Inventor(s): Stephen Paul Zimmerman Confirmation No. 6704

Serial No.: 09/865,074 Group Art Unit: 1761

Date Filed: May 24, 2001 Examiner: Tran Lien, T.

Title: TORTILLA CHIP WITH CONTROLLED SURFACE BUBBLING

1. No additional fee is known to be required.
2. The fee has been calculated as shown below:

						OTHER THAN A SMALL ENTITY	
CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR		PRESENT EXTRA*		RATE	FEE
TOTAL	* 20	MINUS	** 20	= 0	x \$18 =	\$0	
INDEP.	* 3	MINUS	*** 3	= 0	x \$84 =	\$0	
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM					+ \$280 =	\$0	
					TOTAL	\$0	

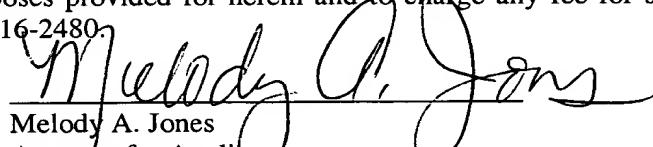
* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.

** If the highest number of total claims previously paid for is less than 20, write "20" in this space.

*** If the highest number of independent claims previously paid for is less than 3, write "3" in this space.

The "Highest Number Previously Paid For" (Total or Independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment or the number of claims originally filed.

3. The Commissioner is hereby petitioned under 37 CFR §1.136(a) to grant any extension of time needed for timely response to the Office Action dated in the above-identified application to preserve pendency of said application. The processing fee under 37 CFR §1.17 has been determined as follows: \$ for a -month extension of time.
4. The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 16-2480. A duplicate copy of this sheet is attached.
 - a. Any patent application processing fees under 37 CFR §1.16.
 - b. Any patent application processing fees under 37 CFR §1.17.
5. The Commissioner is hereby authorized to make any additional copies of this sheet needed to accomplish the purposes provided for herein and to charge any fee for such copies to Deposit Account No. 16-2480.


Melody A. Jones
Attorney for Applicants
Registration No. 44,175
Tel. No. (513) 634-6944

Case Docket No. 8094M

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner of Patents, Washington, D.C. 20231 on December 20, 2002

Melody A. Jones 44,175
Name of Attorney/Agent Registration No.
Signature of Attorney

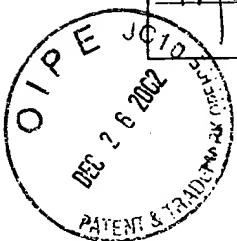
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Date: December 20, 2002

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Melody A. Jones	44-175
Name of Attorney	Registration No.
Melody A. Jones	
Signature of Attorney	



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12/3

Case 8094M

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Application of:

Stephen Paul Zimmerman et al. : Confirmation No. 6704
 Serial No.: 09/865,074 : Group Art Unit: 1761
 Filed: May 24, 2001 : Examiner: Tran Lien, Thuy
 For: TORTILLA CHIPS WITH CONTROLLED SURFACE
 BUBBLING

AMENDMENT AND RESPONSE TO OFFICE ACTION DATED 9/27/02

Assistant Commissioner for Patents
 Washington, D.C. 20231

Dear Sir:

This is in response to the Office Action dated 9/27/02 in the above-identified Patent Application. The Examiner is respectfully requested to reconsider the Application in view of the following Amendments and Remarks.

AMENDMENTS

In the Claims

Please amend Claims 1 and 6-11 as follows:

1. (Amended) A uniformly shaped snack chip having raised surface features, comprising:
- from about 12% to about 40% large surface features;
 - from about 20% to about 40% medium surface features; and
 - from about 25% to about 60% small surface features;
- wherein said snack chip has:
- a glass transition temperature of from about 165 to about 275°F at a snack chip relative humidity of from about 2 to about 4%;